

Case 3:12-cv-01681-MO

Subramaniam v Beal et al

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

FILED 30 APR 2013 12:39PM DC-ORP

**Denise Subramaniam, pro se
Plaintiff,**

v.
**D. Andrew Beal et al
Defendants**

Civil Case No. 3:12 – CV – 1681 MO

**Plaintiff's Objection to Joint
Request for Judicial Notice in
Support of Northwest Trustee
Services, Inc's and MGC's
Motion to Dismiss**

1 Plaintiff objects to NWTS's and MGC's joint request to take Judicial Notice of Facts
 2 in 1 Exhibits attached to it. Plaintiff does not object to noticing they were recorded, the date
 3 of recording and names of parties. The court may not notice the truth of its content (disputed
 4 facts) (hearsay) *Herrera v. Deutsche Bank National Trust Co.* (2011) 196 Cal.App. 4th, 1366,
 5 1375.

6 Taking judicial notice of a document is not the same as accepting the truth of its
 7 contents or accepting a particular interpretation of its meaning.' [Citation] While
 8 courts take judicial notice of public records, they do not take notice of the truth of
 9 matters stated therein. [Citation] 'When judicial notice is taken of a document, . . . the
 10 truthfulness and proper interpretation of the document are disputable.' [Citation]"
 11 (*Herrera v. Deutsche Bank National Trust Co.* (2011) 196 Cal.App.4th 1366, 1375.)

12 Accordingly, we take judicial notice of the existence of these court documents (Evid.
 13 Code, §§ 452, subd. (d), 459, subd. (a)), but do not take notice of the disputed facts in
 14 the documents. *Heritage Pac. Fin. v. Monroy* No.A135274, A136043 (Dist 1-Div 2 -
 15 3/29/13)

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1 Plaintiff clearly disputes the validity and the negotiability of these documents filed in
2 her county in her Amended Complaint.

3 

4 Denise Subramaniam

5 4-30-13

6 Date